



A RESOLUTION BY
COUNCIL MEMBER H. LAMAR WILLIS



A RESOLUTION AUTHORIZING THE MAYOR OR DESIGNEE TO ENTER INTO AMENDMENT AGREEMENT NO. 1 WITH ATLANTA CAPITAL COURTS FACILITIES, LLC, FOR FC-6992-98, PROGRAMMING, DESIGN-BUILD, FINANCING, AND LEASE-PURCHASE OF THE NEW CITY COURT OF ATLANTA FACILITY ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS IN AN AMOUNT NOT TO EXCEED NINE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$9,500,000.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND ACCOUNT AND CENTER NUMBER: 1C47 573001 D45C04029999 (\$6,400,000.00) (2002 TRAFFIC COURT FACILITY BOND FUND); 1C48 574001 M22C040592AB (\$1,200,000.00); AND 1C48 573001 M22C040692AB (\$1,900,000.00) (G. O. PROJECT FUND).

WHEREAS, the City of Atlanta, (the "City") did enter into FC-6992-98, Programming, Design-Build, Financing, and Lease-Purchase of the New City Court of Atlanta Facility; and

WHEREAS, on July 16, 2001, the City Council unanimously adopted a resolution providing that: (1) Atlanta Capital Courts Facilities is approved as the development team responsible for Programming, Design-Build, Financing and Lease-Purchase of the Atlanta City Court Facilities ("Project") for an estimated not to exceed cost of \$55,195,000.00; (2) the cost of the Project shall be paid totally from the fines and forfeitures levied by the City Court of Atlanta and no cost to the Project shall be charged to or paid from the general fund of the City; and (3) an amount not to exceed \$8,000,000.00 is authorized to be expended from the "Reserve Designated Lease/Purchase New Traffic Court Facility" fund currently held in account number 1A01 792001 G41C04049999 (the "Reserve Account"); and

WHEREAS, the City Council adopted Ordinance, 03-O-0278 on March 3, 2003, and the same was approved by the Mayor on March 11, 2003, which amends the 2003 Traffic Court Facility Bond Fund in the amount of six million four hundred thousand dollars (\$6,400,000.00) for the modifications to the City Court of Atlanta Facility; and

WHEREAS, the City Council adopted Ordinance, 04-O-0067, on February 16, 2004, and the same was approved by the Mayor on February 24, 2004, which amends the 2003 Bond Project Fund in the amount of three million one hundred thousand dollars (\$3,100,000.00) for the construction of Gateway Center Passageway Tunnel and modifications to the City Court of Atlanta Facility; and



WHEREAS, the Commissioner of the Department of Public Works and the Chief Procurement Officer have recommended that Atlanta Capital Facilities, LLC provide additional construction services for the Court Facilities and the construction of the Gateway Center Passageway Tunnel in an amount not to exceed Nine Million Five Hundred Thousand Dollars (\$9,500,000.00); and

WHEREAS, the terms, conditions, clauses and stipulations of the original Agreement shall be changed accordingly.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor be and is hereby authorized to enter into Amendment Agreement No. 1 with Atlanta Capital Facilities, LLC, for FC-6992-98, Programming, Design-Build, Financing, and Lease-Purchase of the New City Court of Atlanta Facility in an amount not to exceed Nine Million Five Hundred Thousand Dollars (\$9,500,000.00).

BE IT FURTHER RESOLVED, that the Chief Procurement Officer be and is hereby directed to prepare an appropriate Amendment Agreement for execution by the Mayor to be approved by the City Attorney as to form.

BE IT FURTHER RESOLVED, that this Amendment Agreement No. 1 shall not become binding on the City, and the City shall incur no liability upon same until such contract has been executed by the Mayor and delivered to the contracting party.

BE IT FINALLY RESOLVED, that all services for said notice to proceed shall be charged to and paid from fund account and center number: 1C47 573001 D45C04029999 (\$6,400,000.00) (2002 Traffic Court Facility Fund); 1C48 574001 M22C040592AB (\$1,200,000.00) (G.O. Bond Project Fund); and 1C48 573001 M22C040692AB (\$1,900,000.00) (G. O. Project Fund).

A true copy,

ADOPTED by the Council
APPROVED by the Mayor

July 6, 2004
July 14, 2004

Deputy Clerk

RCS# 5895
7/06/04
5:16 PM

Atlanta City Council

Regular Session

PERSONAL

COURT FACILITY MODIFICATIONS AMENDMENT
AGRMNT #1 BY COUNCILMEMBER WILLIS
ADOPT

YEAS: 9
NAYS: 3
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 1
ABSENT 0

E Smith	Y Winslow	Y Shook	NV Martin	N Mitchell
Y Starnes	Y Archibong	N Muller	Y Maddox	NV Norwood
Y Young	Y Fauver	N Moore	Y Mosley	Y Willis

PERSONAL

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ADOPTED BY

ADOPTED

~~JUL 06 2004~~

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFERRAL
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Committee

Date _____

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Other

Members

Committee

Date _____

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Othe

Members

FINAL COUNCIL ACTION

<input type="checkbox"/> 2nd	<input type="checkbox"/> 1st & 2nd	<input type="checkbox"/> 3rd
Readings		
<input type="checkbox"/> Consent	<input type="checkbox"/> V Vote	<input checked="" type="checkbox"/> RC Vote

CERTIFIED

CERTIFIED
JUL 6 2004

~~COUNCIL PRESIDENT PROTEM~~

Jun 6 2004

Dr. Daphne Johnson

MAYOR'S ACTION

APPROVED

MAYOR